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Attorney's Docket No.: 10973-063001 / K43-139213M/KIK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shoji Kobayashi et al.

Art Unit : 2875

Serial No. : 10/006,360

Examiner : Mark Tsidulko

Filed : December 6, 2001

Title : VEHICLE HEADLAMP APPARATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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REPLY TO ACTION OF OCTOBER 3, 2003

In reply to the Office Action of October 3, 2003, Applicant submits the following remarks. The 3-month deadline for response to this office action is January 3, 2004, which is on a Saturday. Applicants submit this response on January 5, 2004, which is on a Monday, and believe that it is timely.

Claims 1-13 are pending.

Claim Rejections 35 USC 103

Claims 1-4, 8, 9, 11-13 are rejected under 35 USC 103(a) as being unpatentable over Gotou (U.S. Patent No. 5,562,336).

Applicants respectfully assert that claim 1 is not taught or suggested by the Gotou reference for at least the following reasons.

First, the office action states that the functional recitation "light distribution control means performs light distribution control over the headlamp according to one of information adopted with the priority given thereto" has not been given patentable weight because it is narrative in form. Applicants respectfully disagree for the following reasons.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JANUARY 5, 2004

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